

SENATE BILL NO. 242

BY SENATORS MOUNT AND THOMPSON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

AN ACT

To enact R.S. 22:1062.1, relative to health insurance; to provide for an enrollment period for individuals in an employer sponsored insurance program when certain conditions are satisfied; to provide for rule making; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:1062.1 is hereby enacted to read as follows:

§1062.1. Special enrollment period

A. Every group health plan issued by a health insurer or a health maintenance organization shall provide for a special enrollment period for employees or dependents if either of the following apply:

(1) The employee or dependent loses eligibility for Medicaid or coverage under the Louisiana Children's Health Insurance Program and the employee requests, not later than sixty days after the date of termination of such coverage, coverage under a group health plan for which the employee or dependent is eligible.

(2) The employee or dependent becomes eligible to participate in a premium assistance program under Medicaid or the Louisiana Children's Health Insurance Program and the employee requests, not later than sixty days after the date of determination of eligibility, coverage under a group health plan for which the employee or dependent is eligible. In the event of such eligibility, the Department of Health and Hospitals shall ensure that each eligible enrollee, or, in the case of an enrollee in the Louisiana Children's Health Insurance Program, the child's parent or guardian, receives information regarding the

1 special enrollment period. The department shall provide consistent
 2 communication and facilitation for everyone eligible to enroll in a group health
 3 plan during the special enrollment period.

4 B. The Department of Insurance may promulgate rules and regulations,
 5 pursuant to the Administrative Procedure Act, as necessary to assure
 6 compliance with the provisions of this Section and Section 311 of the Children's
 7 Health Insurance Program Reauthorization Act of 2009.

8 Section 2. This Act shall become effective on August 15, 2009; if vetoed by the
 9 governor and subsequently approved by the legislature, this Act shall become effective on
 10 August 15, 2009, or on the day following such approval by the legislature, whichever is
 11 later.

 PRESIDENT OF THE SENATE

 SPEAKER OF THE HOUSE OF REPRESENTATIVES

 GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____